

Defendants' request for an 11-day extension to serve their expert rebuttal report on damages, and to complete expert depositions, is granted, on consent. In addition, the deadlines for serving and filing the Joint Pretrial Order ("JPTO") are likewise extended for 11 days. Therefore, the combined JPTO shall be filed via ECF by November 28, 2011.

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September 26, 2011
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Honorable Roanne L. Mann
United States Magistrate Judge
United States District Court
225 Cadman Plaza East
Brooklyn, NY 11201

SO ORDERED:
/s/
Roanne L. Mann
U.S. Magistrate Judge
Dated: 9/27/11

Re: Ross University School of Medicine v. Brooklyn Queens Health Care Inc. and Wyckoff Heights Medical Center, No. 09 Civ. 1410 (KAM) (RLM)

Dear Judge Mann:

Pursuant to the Court's Order of July 26, 2011, the defendants in the above-captioned matter are to serve on or before September 30, 2011, an expert rebuttal report to the plaintiff's expert report on damages.

After timely service of plaintiff's expert report and related disclosures, I had been working with a leading accounting firm toward producing a rebuttal report by this Friday. However, I was notified by that firm on the afternoon of Friday, September 23, 2011, that despite prior assurances, they had identified a conflict that they could not clear.

I expect to have an alternate expert in place shortly. Due to the pressure of the deadline this Friday, and the unexpected displacement of the expert I expected to prepare the report, I request an extension of time of 11 days, from the September 30 date to October 11, 2011, the first working day following Columbus Day and the Jewish holidays.

I am authorized to advise the Court that plaintiff's counsel has no objection to this application on condition that the date by which the expert depositions are to occur be similarly extended. The current date, pursuant to the Court's July 26 Order, is October 21, 2011. A corresponding extension of that date would require depositions of experts to be concluded by November 1, 2011.